

80
52-140-A
PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 11B02.3.B. (Sec. III.C.3.4.301-1) To permit a sideyard setback of 3' in lieu of the required 5'3"

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)
Petitioner requires covered parking area next to house because of age and visual handicap (arthritis).

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: _____
(Type or Print Name)
Signature _____
Address _____
City and State _____
Name of Petitioner: _____
(Type or Print Name)
Signature _____
Address _____
City and State _____
Name of Attorney: _____
(Type or Print Name)
Signature _____
Address _____
City and State _____
Attorney's Telephone No.: _____
Address _____
City and State _____
Name of Attorney: _____
(Type or Print Name)
Signature _____
Address _____
City and State _____
Attorney's Telephone No.: _____
Address _____
City and State _____

ORDERED BY The Zoning Commissioner of Baltimore County, this 3rd day of November, 1981, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 17th day of December, 1981, at 9:45 o'clock A.M.

[Signature]
Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
E/S Silver Creek Rd., 107' : OF BALTIMORE COUNTY
S of Judy Lane, 3rd District :
EDWIN J. MCCLASKEY, et ux, : Case No. 82-140-A
Petitioners

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

[Signature] Peter Max Zimmerman
Deputy People's Counsel
[Signature] John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2138

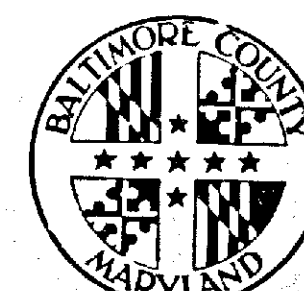
I HEREBY CERTIFY that on this 23rd day of November, 1981, a copy of the foregoing Order was mailed to Mr. and Mrs. Edwin J. McClaskey, 717 Silver Creek Road, Pikesville, Maryland 21208, Petitioners.

[Signature]
John W. Hession, III

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Mr. & Mrs. Edwin J. McClaskey
717 Silver Creek Road
Baltimore, Md. 21208

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 3rd day of November, 1981.

[Signature]
WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner: Edwin J. McClaskey, et ux
Petitioner's Attorney: _____

Reviewed by: *[Signature]*
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

March 9, 1982

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

With regard to Zoning Advisory Committee Meeting of November 3, 1981, the Department of Traffic Engineering has no comment on item numbers 77, 78, 79, 80 and 81.

Very truly yours,

[Signature]
Michael S. Flanagan
Engineer Associate II

MSF/bza

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond
Zoning Commissioner
TO: _____ Date: December 3, 1981
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
Petition No. 82-140-A Item 80
SUBJECT: _____

Petition for Variance
East side of Silver Creek Road, 107th. South of Judy Lane
Petitioner- Edwin J. McClaskey, et ux

Third District

HEARING: Thursday, December 17, 1981 (9:45 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

NEG:JGH:ab

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
625-7310

PAUL H. KENCKE
CHIEF

Mr. William Hammond
Zoning Commissioner

December 15, 1981

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Edwin J. and Catherine McClaskey

Location: E/S Silver Creek Road 107' S. of centerline of Judy Lane

Item No.: 80 Zoning Agenda: Meeting of November 3, 1981

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition, prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments at this time.

REVISOR: *[Signature]* Noted and Approved: *[Signature]*
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/nb/cn

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 4, 1981

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Mr. & Mrs. Edwin J. McClaskey
717 Silver Creek Road
Baltimore, Maryland 21208

ofo
Nicholas B. Commodari
Chairman

RE: Item No. 80
Petitioner - Edwin J. McClaskey, et ux
Variance Petition

Dear Mr. & Mrs. McClaskey:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,

[Signature]
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NEC:bac

Enclosures

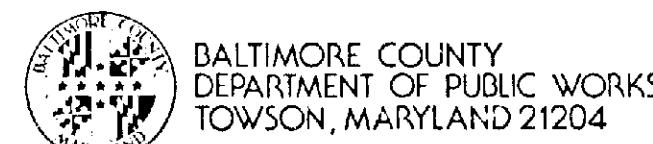
ORDER RECEIVED FOR FILING
DATE 12/17/81
BY [Signature]

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested ~~will~~ will not adversely affect the health, safety, and general welfare of the community, the variance(s) should ~~not~~ be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 12th day of December, 1981, that the herein Petition for Variance to permit a side

yard setback of 3 feet in lieu of the required 5 feet 3 inches, for the proposed purpose of constructing an open carport, should be and the same is GRANTED, from and after the date of this Order, subject, however, to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

Jean M. H. Jung
Deputy Zoning Commissioner of
Baltimore County



HARRY J. GIBEL, P.E.
DIRECTOR

November 23, 1981

Mr. William F. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #80 (1981-1982)
Property Owner: Edwin J. & Catherine McClaskey
E/S Silver Creek Rd. 107' S. of centerline of Judy Lane
Acres: 60/54.5 X 120/120 District: 3rd

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

This property comprises Lot 12, Block D, plat of Silver Creek, Section 1, recorded T.B.S. 16, Folio 94.

Baltimore County highway and utility improvements are not directly involved.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 80 (1981-1982).

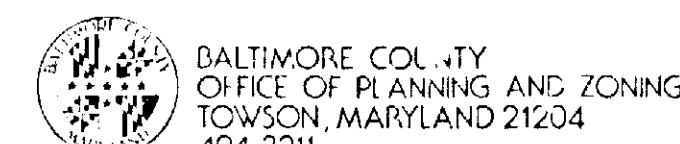
Very truly yours,

Robert A. Morton
ROBERT A. MORTON, P.E., Chief
Bureau of Public Services

RAM:EAM:FWR:ss

cc: Jack Wimbley

P-SE Key Sheet
25 NW 24 Pos. Sheet
NW 7 F Topo
78 Tax Map



NORMAN E. GERBER
DIRECTOR

December 1, 1981

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #80, Zoning Advisory Committee Meeting, November 3, 1981, are as follows:

Property Owner: Edwin J. and Catherine McClaskey
Location: E/S Silver Creek Road 107' S. of centerline of Judy Lane
Acres: 60/54.5 X 120/120
District: 3rd

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This petition meets the requirements of the Division of Current Planning and Development.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner III
Current Planning and Development

JLW:rh

12/17
82-140-A

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond, Zoning Commissioner
To: Office of Planning and Zoning Date: November 24, 1981

FROM: Ian J. Forrest

SUBJECT: Zoning Variance Items

The Baltimore County Department of Health has reviewed the following zoning variance items, and has no specific comments regarding same:

Item #80 - Edwin J. & Catherine McClaskey

Item #83 - John Frank, Sr.

Item #84 - White Marsh Mall, Inc.

Item #85 - Harry Giardina

Item #87 - Harold P. & Elaine L. Rothman

Item #89 - Donald Ray & Dolores P. McCoy

Item #90 - Betty Lee Dulany, et al

Item #91 - Marine Oaks

Item #92 - John W. Huber

Item #93 - Anna E. E. Schneider

Item #94 - Cassius D. & Shirley V. Miller

Item #95 - American Telephone & Telegraph Co.

Item #96 - American Telephone & Telegraph Co.

Item #97 - American Telephone & Telegraph Co.

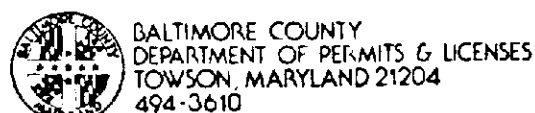
Item #98 - William Thomas & Dorothy Lee Palmisano

Item #99 - Salvatore Spitaleri

Item #100 - Clarence & Karen Miller

Ian J. Forrest
Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

IJF/rth



TED ZALESKA
DIRECTOR

November 10, 1981

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #80 Zoning Advisory Committee Meeting, November 3, 1981 are as follows:

Property Owner: Edwin J. & Catherine McClaskey
Location: E/S Silver Creek Road 107' S. of centerline of Judy Lane
Existing Zoning: D.R. 5-5
Proposed Zoning: Variance to permit a side setback of 3' in lieu of the required 5'3".

Acres: 60/54.5 X 120/120
District: 3rd

The items checked below are applicable:

X A. All structures shall conform to the Baltimore County Building Code 1978, and other applicable Codes.

X B. A building/ permit shall be required before beginning construction.

C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required.

D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

SPECIAL NOTE: X E. In wood frame construction an exterior wall erected within 6' 0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3' 0" of lot line. A minimum 8" masonry firewall is required if construction is on the lot line.

F. Requested variance conflicts with the Baltimore County Building Code, Section/s

G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 305 and the required construction classification of Table 214.

I. Comments -

NOTE: These comments reflect only on the information provided by the drawing submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired additional information may be obtained by visiting Room #122 (Plan Review) at 111 West Chesapeake Ave., Towson.

Very truly yours,

Charles E. Burham
Charles E. Burham, Chief
Plan Review

CEB:rrj

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: Oct. 20, 1981

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: Nov. 3, 1981

RE: Item No: 77, 78, 79, 80, 81
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,

Wm. Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

WNP/bp

717 Silver Creek Road
Pikesville, Md. #21208

October 21, 1981

Mr. Wm. E. Hammond
Baltimore County Office
Planning & Zoning
County Office Building
1111 W. Chesapeake Avenue
Towson, Md. #21204

Dear Mr. Hammond:

I submitted a petition for zoning variance today, October 21.

The number assigned to it is #80. I would very much appreciate your consideration in expediting a hearing in this matter.

The reason for my desiring to install the car port is that

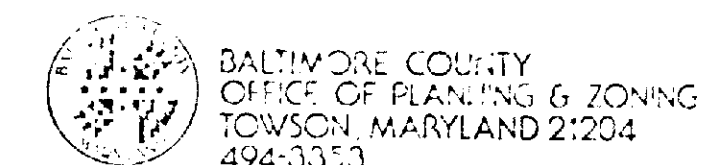
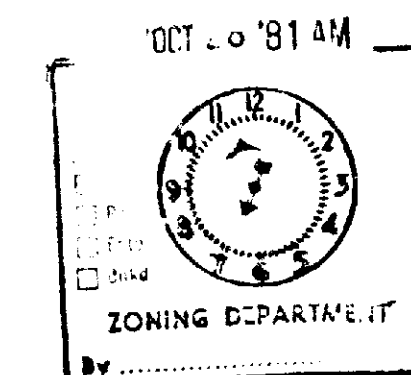
I need the covered space because of my wife's arthritis and

want very much to have the work done before the onset of winter.

Thank you for your help.

Sincerely yours,

Edwin J. McClaskey
Edwin J. McClaskey, et ux



WILLIAM E. HAMMOND
ZONING COMMISSIONER

December 18, 1981

Mr. Gunther Wertheimer
6212 Reisterstown Road
Baltimore, Maryland 21215

RE: Petition for Variance
E/S of Silver Creek Rd., 107' S of
Judy Lane - 3rd Election District
Edwin J. McClaskey, et ux - Petitioners
NO. 82-140-A (Item No. 80)

Dear Mr. Wertheimer:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

Jean M. H. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: Mr. & Mrs. Edwin J. McClaskey
717 Silver Creek Road
Pikesville, Maryland 21208

John W. Hissian, III, Esquire
People's Counsel

Mr. Gunther Wertheimer
6212 Reisterstown Road
Baltimore, MD 21215

November 19, 1981

NOTICE OF HEARING

RE: Petition for Variance
E/s Silver Creek Rd., 107' S of Judy Ln.
Edwin J. McClaskey, et ux - Petitioners
Case #82-140-A

TIME: 9:45 A.M.

DATE: Thursday, December 17, 1981

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,
TOWSON, MARYLAND

CC: Mr. and Mrs. Edwin J. McClaskey
717 Silver Creek Road
Pikesville, MD 21208



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

Mr. Gunther Wertheimer
6212 Reisterstown Road
Baltimore, Maryland 21215

RE: Petition for Variance
E/s Silver Creek Rd., 107' S of Judy Lane
Edwin J. McClaskey, et ux - Petitioners
Case #82-140-A

Dear Mr. Wertheimer:

This is to advise you that \$50.85 is due for advertising and posting of the above property.

Please make check payable to Baltimore County, Maryland, and remit to Karen Riegel, Room 113, County Office Building, Towson, Maryland 21204 before the hearing.

Very truly yours,
WILLIAM E. HAMMOND
Zoning Commissioner

WEH:klr

PETITION FOR VARIANCE

3rd DISTRICT

ZONING: Petition for Variance
LOCATION: East side of Silver Creek Road, 107 ft. South of Judy Lane
DATE & TIME: Thursday, December 17, 1981 at 9:45 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a side yard setback of 3 feet in lieu of the required 5'3"

The Zoning Regulation to be excepted as follows:

Section 1B02.3.B (Sec. III.C.3 & 301.1) - Minimum side yard setback in D.R. 5.5 Zone

All that parcel of land in the Third District of Baltimore County.

Being the property of Edwin J. McClaskey, et ux, as shown on plat plan filed with the Zoning Department.

Hearing Date: Thursday, December 17, 1981 at 9:45 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

Located on the east side of Silver Creek Road approximately 107 feet south of the centerline of Judy Lane and known as Lot No. 12 as shown on Plat of Silver Creek, which is recorded in the Land Records of Baltimore County in Liber 16, folio 94.

Also known as 717 Silver Creek Road.

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>CLW</u>	Revised Plans: Change in outline or description Yes <input type="checkbox"/> No <input type="checkbox"/>									
Previous case:	Map # _____									

PETITION FOR VARIANCE

3rd DISTRICT

ZONING: Petition for Variance
LOCATION: East side of Silver Creek Road, 107 ft. South of Judy Lane
DATE & TIME: Thursday, December 17, 1981 at 9:45 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

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Also known as 717 Silver Creek Road.

Being the property of Edwin J. McClaskey, et ux, as shown on plat plan filed with the Zoning Department.

Hearing Date: Thursday, December 17, 1981 at 9:45 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

By Order of
WILLIAM E. HAMMOND
Zoning Commissioner
of Baltimore County

CERTIFICATE OF PUBLICATION

TOWSON, MD., November 26, 1981

THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once each week, successive weeks before the 17th day of December, 1981, the first publication appearing on the 21st day of November, 1981.

THE JEFFERSONIAN
L. L. Lusk, Jr., Manager

Cost of Advertisement, \$ _____

Office of The Carroll County Times

Westminster, Md., November 25, 1981

THIS IS TO CERTIFY that the annexed advertisement was published for three successive weeks previous to the 17th day of November, 1981, in The Carroll County Times a daily newspaper published in Westminster, Carroll County, Maryland.

THE CARROLL COUNTY TIMES
Wm. D. Colthuden, Jr., Editor

PETITION FOR VARIANCE

3rd DISTRICT

ZONING: Petition for Variance
LOCATION: East side of Silver Creek Road, 107 ft. South of Judy Lane
DATE & TIME: Thursday, December 17, 1981 at 9:45 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioners of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a side yard setback of 3 feet in lieu of the required 5'3"

The Zoning Regulations to be excepted as follows:

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Also known as 717 Silver Creek Road.

Being the property of Edwin J. McClaskey, et ux, as shown on plat plan filed with the Zoning Department.

Hearing Date: Thursday, December 17, 1981 at 9:45 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

By Order of
William E. Hammond
Zoning Commissioner
of Baltimore County

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 3rd Date of Posting: 11-29-81
Posted for: Variance
Petitioner: Edwin J. McClaskey, et ux
Location of property: E/s Silver Creek Road, 107' South of Judy Lane
Location of Signs: East side of Silver Creek Road approx. 140' South of Judy Lane
Remarks:
Posted by: [Signature] Date of return: Dec 14-81
Number of Signs: 1

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 102625

DATE: 11/16/81 ACCOUNT: 01-662

AMOUNT: \$25.00

RECEIVED: Gunther Wertheimer

FOR: Filing fee for Case #82-140-A (McClaskey)

11 1981 250.00

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: 12/17/81 ACCOUNT: 01-662

AMOUNT: \$50.85

RECEIVED FROM: Mid-Mt. Building

FOR: Posting & Advertising of Case #82-140-A (McClaskey)

50554

VALIDATION OR SIGNATURE OF CASHIER

